

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,
Plaintiff,
vs.

JABAREE MABREY,
Defendant.

CASE NO: 4:23CR3049

DETENTION ORDER

On October 18, 2023, the Government made an oral motion requesting the Court revoke Defendant's pretrial release due to newly acquired information not reasonably available at the previous detention hearing. The Court held a hearing on that motion on April 23, 2024. At this hearing, the Government indicated this motion was based upon Defendant's risk of flight and danger to the community. The Court hereby grants the Government's motion (Filing No. 53).

The defendant poses a serious risk of flight if released. On the government's motion, the court held a detention hearing under the Bail Reform Act, 18 U.S.C. § 3142(f). The court concludes the defendant must be detained.

Based on the evidence presented and information of record, the court finds by clear and convincing evidence that defendant's release would pose a serious risk of harm to the community and risk of defendant's nonappearance at court proceedings, and no condition or combination of conditions of release will sufficiently ameliorate that risk.

Based on the evidence presented and information of record, the court finds by a preponderance of the evidence that the defendant's release would pose a risk of nonappearance at court proceedings, and by clear and convincing evidence that the defendant's release would pose a risk of harm to the public .

Specifically, the court finds the defendant

- has a criminal history of violating the law and court orders;
- has a criminal history of violating court orders;
- violated conditions of release previously imposed by a court including being arrested in a state in which he was not to be located in while on probation;
- has a history of harming or threatening harm to others, including potential attempts to prevent/dissuade a witness or victim;
- is addicted to or abuses mood-altering chemicals and is likely to continue such conduct and violate the law if released;
- has limited employment contacts; and
- has failed to appear for court proceedings in the past.

Conditions which restrict Defendant's travel, personal contacts, and possession of drugs, alcohol, and/or firearms; require reporting, education, employment, or treatment; or monitor Defendant's movements or conduct; or any combination of these conditions or others currently proposed or available (see 18 U.S.C. § 3142(c)), will not sufficiently ameliorate the risks posed if the defendant is released.

Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or a designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or held in custody pending appeal. The defendant must be afforded a reasonable opportunity to consult privately with defense counsel. On order of the United States Court or on request of an attorney for the Government, the person in charge of the corrections facility must deliver the defendant to the United States marshal for a court appearance.

Date: 4/23/2024

Jacqueline M. DeLuca

United States Magistrate Judge